

FILED

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IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF OHIO
EASTERN DIVISION

U.S. DISTRICT COURT
NORTHERN DISTRICT OF OHIO
CLEVELAND

UNITED STATES OF AMERICA,

Plaintiff,

v.

RAFAEL MOORE,

Defendant.

) INDICTMENT

)
) **1:20 CR 004**
)

) CASE NO.

) Title 21, United States Code,
) Sections 841(a)(1), (b)(1)(B),
) and 846; Title 18, United States
) Code, Sections 922(g)(1),
) 924(a)(2), and (c)(1)(A)(i)

COUNT 1

JUDGE ADAMS

(Conspiracy to Possess with Intent to Distribute Controlled Substances,
21 U.S.C. § 846)

The Grand Jury charges:

1. From on or about December 1, 2019 to on or about December 18, 2019, in the Northern District of Ohio, Eastern Division, Defendant RAFAEL MOORE and others, known and unknown to the Grand Jury, did knowingly, and intentionally combine, conspire, confederate, and agree together and with each other, and with diverse others known and unknown to the Grand Jury, to possess with the intent to distribute more than 500 grams of a mixture and substance containing a detectable amount of cocaine, a Schedule II controlled substance; and more than 28 grams of a mixture and substance containing a detectable amount of cocaine base ("crack"), in violation of Title 21, United States Code, Sections 841(a)(1) and (b)(1)(B).

All in violation of Title 21, United States Code, Section 846.

COUNT 2

(Possession with Intent to Distribute Cocaine, 21 U.S.C. §§ 841(a)(1) and (b)(1)(B))

The Grand Jury further charges:

2. On or about December 18, 2019, in the Northern District of Ohio, Eastern Division, Defendant RAFAEL MOORE did knowingly and intentionally possess with intent to distribute more than 500 grams of a mixture and substance containing a detectable amount of cocaine, a Schedule II controlled substance, in violation of Title 21, United States Code, Sections 841(a)(1) and (b)(1)(B).

COUNT 3

(Possession with Intent to Distribute Cocaine Base ("Crack"), 21 U.S.C. §§ 841(a)(1) and (b)(1)(B))

The Grand Jury further charges:

3. On or about December 18, 2019, in the Northern District of Ohio, Eastern Division, Defendant RAFAEL MOORE did knowingly and intentionally possess with intent to distribute more than 28 grams of a mixture and substance containing a detectable amount of cocaine base ("crack"), a Schedule II controlled substance, in violation of Title 21, United States Code, Sections 841(a)(1) and (b)(1)(B).

COUNT 4

(Felon in Possession of Firearms and Ammunition, 18 U.S.C. §§ 922(g)(1) and 924(a)(2))

The Grand Jury further charges:

4. On or about December 18, 2019, in the Northern District of Ohio, Eastern Division, Defendant RAFAEL MOORE, knowing he had previously been convicted of crimes punishable by imprisonment for terms exceeding one year, those being: Trafficking, a felony of the fourth degree, on or about March 20, 2009, in Case Number CR-08-517412-A, and Menacing by Stalking, a felony of the fourth degree, on or about December 12, 2016, in Case Number CR-

16-606541-A, all in the Cuyahoga County Court of Common Pleas, knowingly possessed in and affecting interstate commerce firearms, to wit: a Ruger LCP, .380 caliber handgun, bearing serial number 373-90952, and ammunition, and a Springfield Armory XD-S .45 caliber handgun, bearing serial number S3275109, and ammunition, said firearms and ammunition having been shipped and transported in interstate commerce, in violation of Title 18, United States Code, Sections 922(g)(1) and 924(a)(2).

COUNT 5

(Possession of a Firearm in Furtherance of a Drug Trafficking Crime, 18 U.S.C.
§ 924(c)(1)(A)(i))

The Grand Jury further charges:

5. On or about December 18, in the Northern District of Ohio, Eastern Division, Defendant RAFAEL MOORE did knowingly possess a firearm in furtherance of drug trafficking crimes for which he may be prosecuted in a court of the United States, to wit: Conspiracy to Distribute and to Possess with Intent to Distribute Controlled Substances, and Possession with Intent to Distribute Controlled Substances, in violation of Title 21, United States Code, Sections 841(a)(1), (b)(1)(B) and 846, as charged in Counts 1 through 3 of this Indictment, in violation of Title 18, United States Code, Section 924(c)(1)(A)(i).

FORFEITURE

The Grand Jury further charges:

6. For the purpose of alleging forfeiture pursuant to Title 21, United States Code, Section 853; Title 18, United States Code, Section 924(d)(1); and Title 28, United States Code Section 2461(c), the allegations of Counts 1 - 5 are incorporated herein by reference. As a result of the foregoing offenses, Defendant RAFAEL MOORE, shall forfeit to the United States any and all property constituting or derived from any proceeds he obtained directly or indirectly as a

result of such violations; any and all of his property used or intended to be used in any manner or part to commit or to facilitate the commission of such violations; and, any and all firearms and ammunition involved in or used in the commission of such violations; including, but not limited to, the following:

- a. a Ruger LCP, .380 caliber handgun, bearing serial number 373-90952, with ammunition; and,
- b. a Springfield Armory XD-S .45 caliber handgun, with ammunition.

A TRUE BILL.

Original document - Signatures on file with the Clerk of Courts, pursuant to the E-Government Act of 2002.